

IN THE UNITED STATES DISTRICT COURT

FOR THE RICHMOND DIVISION



Rebecca Thornock,

Plaintiff,

v.

Internal Revenue Service, et al.,

Defendants.

Case No. 3:25-cv-00134-JAG

NOTICE OF PLAINTIFF'S RIGHT TO AMEND COMPLAINT UNDER RULE 15

Plaintiff Rebecca Thornock, proceeding pro se, respectfully files this notice to assert and clarify her procedural right to amend her complaint pursuant to Rule 15(a)(1) of the Federal Rules of Civil Procedure.

I. RIGHT TO AMEND AS A MATTER OF COURSE UNDER RULE 15

Under Rule 15(a)(1)(A) and (B), a party may amend its pleading once as a matter of course:

(A) within 21 days after serving it, or

(B) if the pleading is one to which a responsive pleading is required, 21 days after service of

a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier.

The Plaintiff's amended complaint was filed on April 7, 2025, within 21 days of serving the Defendants and prior to any responsive pleading or Rule 12 motion. This falls squarely within the window in which the Plaintiff is entitled to amend the complaint without seeking leave of the Court.

II. CLARIFICATION OF PROCEDURAL POSTURE

The Plaintiff's original complaint was functionally encompassed within the Emergency TRO motion that was previously granted in part. However, to comply with Rule 3—which mandates the commencement of a civil action through the filing of a formal complaint—the Plaintiff has filed a complete First Amended Complaint to serve as the operative complaint of record.

As this filing represents both the Plaintiff's right to amend and a procedural necessity for compliance, the Court and Clerk's Office are respectfully urged to recognize this document as timely and valid under Rule 15.

III. IMPORTANCE OF FAIRNESS TO PRO SE LITIGANTS

Federal courts are directed to construe pro se pleadings liberally and to ensure that technical missteps do not bar access to justice. The Plaintiff's efforts to comply with the Federal Rules and ensure procedural integrity should be met with the same diligence and

fairness. There is no prejudice to the Defendant in recognizing this procedural right, and doing so ensures this case is able to proceed on the merits.

CONCLUSION

Plaintiff respectfully provides notice that the April 7, 2025, filing constitutes a timely and appropriate exercise of the right to amend under Rule 15(a)(1) and should be docketed and treated as the operative complaint in this matter.

Respectfully submitted,

Rebecca Thornock

A handwritten signature in black ink that reads "Rebecca J. Thornock". The signature is written in a cursive, flowing style.

Pro Se Plaintiff

Dated: April 8th, 2025